

January 14, 1953  
Opinion No. 53-5

TO: Harold Ekman, Secretary  
State Board of Technical Registration

RE: Social Security Contract Coverage

QUESTION: Whether or not the Secretary of the  
Board of Technical Registration must  
be included under the terms of the  
Social Security Contract covering  
State Employees.

The Technical Registration Act, Section 67-1804, Arizona Code Annotated 1939, as amended, prescribes the composition of the State Board of Technical Registration. The Board is composed of one (1) member required by law to be ex officio dean or acting dean of the College of Engineering of the University of Arizona, and eight (8) other appointive members having prescribed qualifications, three (3) of whom shall be architects and five (5) of whom shall be engineers.

From this membership the Board must elect annually a chairman, vice chairman and secretary. It also must hold at least two (2) regular meetings in each year and call such other meetings as the By-Laws of the Board shall provide, Section 67-1807, Arizona Code Annotated 1939.

Construing these two statutes together, it is apparent that the secretary must be one of the appointed members of the State board; therefore, the duties of the secretary can only be performed by an appointive officer. Section 67-1808, which prescribes the powers and duties of the Board, indicates clearly that the duties of the secretary are performed only on a part time basis.

Under the terms of the Social Security Contract covering State employees, expressly excluded therefrom are part time appointive officers. Since the secretary falls within this classification, he is excluded from the provisions of the Social Security Contract covering State employees.

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